

EDWARD J. MARKEY
7TH DISTRICT, MASSACHUSETTS

COMMITTEES
ENERGY AND COMMERCE
CHAIRMAN
SUBCOMMITTEE ON
TELECOMMUNICATIONS AND
FINANCE
INTERIOR AND INSULAR
AFFAIRS
COMMISSION ON SECURITY AND
COOPERATION IN EUROPE

Congress of the United States
House of Representatives
Washington, DC 20515

2133 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2836

DISTRICT OFFICE
2100A JOHN F. KENNEDY BUILDING
BOSTON, MA 02203
(617) 565-2800

July 18, 1990

The Honorable Kenneth M. Carr
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Carr:

I am writing to express my grave concern regarding the Nuclear Regulatory Commission's policy to permit the reclassification of some low level radioactive wastes as "Below Regulatory Concern."

This Policy Statement would open the door to exposing individuals to up to 10 millirems per year by the deregulation of items such as certain irradiated clothes, tools, medical waste and construction materials. These items would be allowed to be disposed of in municipal landfills, incinerators and recycling centers.

The NRC's proposed BRC policy could unnecessarily increase the public's exposure to dangerous levels of radiation, could contaminate ground water supplies, and could undermine states' plans for properly handling their solid and radioactive wastes. Moreover, the waste would be unlabeled, unmonitored and unregulated, making enforcement difficult, if not impossible.

The NRC's Policy Statement includes data that states that a population exposed to 10 mrem/yr will result in 3.5 fatal cancers in every 10,000 people. It has been reported that the industry expects to save \$30 to \$100 million dollars per year from this decision. At the July 26 Interior and Insular Affairs Committee's Subcommittee on Energy and Environment hearing, I will examine whether this is an appropriate trade-off.

Once again, at a time when the nuclear industry and its regulators are struggling to maintain the public's confidence, the NRC is disregarding its mandated responsibility and placing short-term monetary concerns over public safety. Even elements of the nuclear industry -- such as the owners of Pilgrim, Seabrook and Yankee Rowe nuclear powerplants -- recently expressed their opposition to the NRC's policy change in the Boston Globe.

In anticipation of the July 26 House Interior and Insular Affairs Committee's Subcommittee on Energy and Environment hearing, I respectfully request that you respond to the enclosed pre-hearing

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questions by no later than July 23. If there are any questions,
please contact David Nemtzow of my staff at 225-2836.

Thank you for your cooperation in this matter.

Sincerely,

Edward J. Markey
Member of Congress

EJM/drl